

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Kathi-Anne Reinstein

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act to increase the personal care allowance for residents of long term care facilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Christine E. Canavan	10th Plymouth
Louis L. Kafka	8th Norfolk
Barbara A. L'Italien	18th Essex
Kathi-Anne Reinstein	16th Suffolk
Thomas A. Golden, Jr.	16th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1126 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO INCREASE THE PERSONAL CARE ALLOWANCE FOR RESIDENTS OF LONG TERM CARE FACILITIES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority
of the same, as follows:*

1 SECTION 1. Section 1 of chapter 117A of the General Laws, as appearing in the 1998 Official Edition, is
2 hereby amended by striking out the second paragraph and inserting in place thereof the following
3 paragraph:-

4 Any person eligible for assistance under this chapter who is not maintaining his home and is receiving
5 care in or residing in a licensed nursing facility, licensed chronic hospital, licensed rest home, or an
6 approved public medical institution as defined in section 8 of chapter 118E, shall retain the first \$72.80
7 of his monthly income for clothing, personal needs, and leisure activities. If there is no such income or if
8 it is less than the amount of \$72.80, such a person shall be paid monthly in advance the difference
9 between such income and said amount. Said amount shall be increased annually each fiscal year at the
10 same time and at the same percentage rate as increases payable to an individual who maintains his own
11 home and receives state supplementary payments pursuant to sections 1 and 2 of chapter 118A.

12

13 SECTION 2. Chapter 118A of General Laws, as appearing in the 1998 Official Edition, is hereby amended
14 by inserting after section 7A the following new section:--

15 Section 7B. Any person eligible for financial assistance under this chapter who is not maintaining his
16 home and is in a licensed medical facility which is eligible for medical assistance payments pursuant to
17 chapter 118E or is residing in a licensed rest home to which such person pays a fixed rate, shall retain

18 the first \$72.80 of his monthly income for clothing, personal needs, and leisure time activities. If there is
19 no such income or if it is less than the amount of \$72.80, such a person shall be paid monthly in advance
20 the difference between such income and said amount. Said amount shall be increased annually each
21 fiscal year at the same time and at the same percentage rate as increases payable to an individual who
22 maintains his own home and receives state supplementary payments pursuant to sections 1 and 2 of
23 this chapter.

24

25 Section 3. Section 15 of chapter 118E of the General Laws, as appearing in the 1998 Official Edition is
26 hereby amended by striking the fourth paragraph and inserting in place thereof the following paragraph
27 and inserting in place thereof the following paragraph:--

28 A person eligible for medical assistance under this chapter who is not maintaining his own home and is
29 receiving care in a licensed nursing facility, a licensed chronic hospital, a licensed rest home, an
30 approved public medical institution, or a public psychiatric institution shall retain the first \$72.80 of his
31 monthly income for clothing, personal needs, and leisure time activities. If there is no such income or if
32 it is less than the amount of \$72.80, such a person shall be paid monthly in advance the difference
33 between such income and said amount. Said amount shall be increased annually each fiscal year at the
34 same time and at the same percentage rate as increases payable to an individual who is maintaining his
35 own home and who is receiving supplemental payments pursuant to sections 1 and 2 of chapter 118A.

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